

Effective 5/12/2015

Part 12
School Turnaround and Leadership Development Act

53A-1-1201 Title.

This part is known as the "School Turnaround and Leadership Development Act."

Enacted by Chapter 449, 2015 General Session

53A-1-1202 Definitions.

As used in this part:

- (1) "Board" means the State Board of Education.
- (2) "Charter school authorizer" means the same as that term is defined in Section 53A-1a-501.3.
- (3) "District school" means a public school under the control of a local school board elected under Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.
- (4) "Educator" means the same as that term is defined in Section 53A-6-103.
- (5) "Final remedial year" means the second school year following the initial remedial year.
- (6) "Initial remedial year" means the school year a district school or charter school is designated as a low performing school under Section 53A-1-1203.
- (7) "Low performing school" means a district school or charter school that has been designated a low performing school by the board because the school is:
 - (a) in the lowest performing 3% of schools statewide according to the percentage of possible points earned under the school grading system; and
 - (b) a low performing school according to other outcome-based measures as may be defined in rules made by the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (8) "School grade" or "grade" means the letter grade assigned to a school under the school grading system.
- (9) "School grading system" means the system established under Part 11, School Grading Act, of assigning letter grades to schools.
- (10) "Statewide assessment" means a test of student achievement in basic academic subjects, including a test administered in a computer adaptive format that is administered statewide under Part 6, Achievement Tests.

Amended by Chapter 241, 2016 General Session

53A-1-1203 State Board of Education to designate low performing schools.

On or before September 1, the board shall annually designate a school as a low performing school if the school is:

- (1) in the lowest performing 3% of schools statewide according to the percentage of possible points earned under the school grading system; and
- (2) a low performing school according to other outcome-based measures as may be defined in rules made by the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Amended by Chapter 241, 2016 General Session

53A-1-1204 Required action to turn around a low performing district school.

- (1) On or before September 15 of an initial remedial year, a local school board of a low performing school shall establish a school turnaround committee composed of the following members:
 - (a) the local school board member who represents the voting district where the low performing school is located;
 - (b) the school principal;
 - (c) three parents of students enrolled in the low performing school appointed by the chair of the school community council;
 - (d) one teacher at the low performing school appointed by the principal; and
 - (e) one teacher at the low performing school appointed by the school district superintendent.
- (2)
 - (a) Subject to Subsection (2)(b), on or before October 1 of an initial remedial year, a local school board of a low performing school shall partner with the school turnaround committee to select an independent school turnaround expert from the experts identified by the board under Section 53A-1-1206.
 - (b) A local school board may not select an independent school turnaround expert that is:
 - (i) the school district; or
 - (ii) an employee of the school district.
- (3) A school turnaround committee shall partner with the independent school turnaround expert selected under Subsection (2) to develop and implement a school turnaround plan that includes:
 - (a) the findings of the analysis conducted by the independent school turnaround expert described in Subsection 53A-1-1206(1)(a);
 - (b) recommendations regarding changes to the low performing school's personnel, culture, curriculum, assessments, instructional practices, governance, leadership, finances, policies, or other areas that may be necessary to implement the school turnaround plan;
 - (c) measurable student achievement goals and objectives;
 - (d) a professional development plan that identifies a strategy to address problems of instructional practice;
 - (e) a detailed budget specifying how the school turnaround plan will be funded;
 - (f) a plan to assess and monitor progress;
 - (g) a plan to communicate and report data on progress to stakeholders; and
 - (h) a timeline for implementation.
- (4) A local school board of a low performing school shall:
 - (a) prioritize school district funding and resources to the low performing school; and
 - (b) grant the low performing school streamlined authority over staff, schedule, policies, budget, and academic programs to implement the school turnaround plan.
- (5)
 - (a) On or before March 1 of an initial remedial year, a school turnaround committee shall submit the school turnaround plan to the local school board for approval.
 - (b) Except as provided in Subsection (5)(c), on or before April 1 of an initial remedial year, a local school board of a low performing school shall submit the school turnaround plan to the board for approval.
 - (c) If the local school board does not approve the school turnaround plan submitted under Subsection (5)(a), the school turnaround committee may appeal the disapproval in accordance with rules made by the board as described in Subsection 53A-1-1206(5).

Amended by Chapter 241, 2016 General Session

53A-1-1205 Required action to terminate or turn around a low performing charter school.

- (1) On or before September 10 of an initial remedial year, a charter school authorizer of a low performing school shall initiate a review to determine whether the charter school is in compliance with the school's charter agreement described in Section 53A-1a-508, including the school's established minimum standards for student achievement.
- (2) If a low performing school is found to be out of compliance with the school's charter agreement, the charter school authorizer may terminate the school's charter in accordance with Section 53A-1a-510.
- (3) A charter school authorizer shall make a determination on the status of a low performing school's charter under Subsection (2) on or before October 1 of an initial remedial year.
- (4) If a charter school authorizer does not terminate a low performing school's charter under Subsection (2), a charter school governing board of a low performing school shall:
 - (a) on or before October 15 of an initial remedial year, establish a school turnaround committee composed of the following members:
 - (i) a member of the charter school governing board, appointed by the chair of the charter school governing board;
 - (ii) the school principal;
 - (iii) three parents of students enrolled in the low performing school, appointed by the chair of the charter school governing board; and
 - (iv) two teachers at the low performing school, appointed by the school principal; and
 - (b) subject to Subsection (5), on or before November 1 of an initial remedial year, in partnership with the school turnaround committee, select an independent school turnaround expert from the experts identified by the board under Section 53A-1-1206.
- (5) A charter school governing board may not select a school turnaround expert that:
 - (a) is a member of the charter school governing board;
 - (b) is an employee of the charter school; or
 - (c) has a contract to operate the charter school.
- (6) A school turnaround committee shall partner with the independent school turnaround expert selected under Subsection (4)(b) to develop and implement a school turnaround plan that includes the elements described in Subsection 53A-1-1204(3).
- (7)
 - (a) On or before March 1 of an initial remedial year, a school turnaround committee shall submit the school turnaround plan to the charter school governing board for approval.
 - (b) Except as provided in Subsection (7)(c), on or before April 1 of an initial remedial year, a charter school governing board of a low performing school shall submit the school turnaround plan to the board for approval.
 - (c) If the charter school governing board does not approve the school turnaround plan submitted under Subsection (7)(a), the school turnaround committee may appeal the disapproval in accordance with rules made by the board as described in Subsection 53A-1-1206(5).

Amended by Chapter 241, 2016 General Session

53A-1-1206 State Board of Education to identify independent school turnaround experts -- Review and approval of school turnaround plans -- Appeals process.

- (1) On or before August 30, the board shall identify two or more approved independent school turnaround experts, through a request for proposals process, that a low performing school may select from to partner with to:

- (a) collect and analyze data on the low performing school's student achievement, personnel, culture, curriculum, assessments, instructional practices, governance, leadership, finances, and policies;
 - (b) recommend changes to the low performing school's culture, curriculum, assessments, instructional practices, governance, finances, policies, or other areas based on data collected under Subsection (1)(a);
 - (c) develop and implement, in partnership with the school turnaround committee, a school turnaround plan that meets the criteria described in Subsection 53A-1-1204(3);
 - (d) monitor the effectiveness of a school turnaround plan through reliable means of evaluation, including on-site visits, observations, surveys, analysis of student achievement data, and interviews;
 - (e) provide ongoing implementation support and project management for a school turnaround plan;
 - (f) provide high-quality professional development personalized for school staff that is designed to build the:
 - (i) leadership capacity of the school principal; and
 - (ii) instructional capacity of school staff; and
 - (g) leverage support from community partners to coordinate an efficient delivery of supports to students both inside and outside the classroom.
- (2) In identifying independent school turnaround experts under Subsection (1), the board shall identify experts that:
- (a) have a credible track record of improving student academic achievement in public schools with various demographic characteristics, as measured by statewide assessments;
 - (b) have experience designing, implementing, and evaluating data-driven instructional systems in public schools;
 - (c) have experience coaching public school administrators and teachers on designing data-driven school improvement plans;
 - (d) have experience working with the various education entities that govern public schools;
 - (e) have experience delivering high-quality professional development in instructional effectiveness to public school administrators and teachers;
 - (f) are willing to be compensated for professional services based on performance as described in Subsection (3); and
 - (g) are willing to partner with any low performing school in the state, regardless of location.
- (3)
- (a) When awarding a contract to an independent school turnaround expert selected by a local school board under Subsection 53A-1-1204(2) or by a charter school governing board under Subsection 53A-1-1205(4)(b), the board shall ensure that a contract between the board and the independent school turnaround expert specifies that the board will:
 - (i) pay an independent school turnaround expert no more than 50% of the expert's professional fees at the beginning of the independent school turnaround expert's work for the low performing school; and
 - (ii) pay the remainder of the independent school turnaround expert's professional fees upon completion of the independent school turnaround expert's work for the low performing school if:
 - (A) the independent school turnaround expert fulfills the terms of the contract; and
 - (B) the low performing school's grade improves by at least one letter grade, as determined by the board under Subsection (3)(b).

- (b) The board shall determine whether a low performing school's grade has improved under Subsection (3)(a)(ii) by comparing the school's letter grade for the school year prior to the initial remedial year to the school's letter grade:
 - (i) for the final remedial year; or
 - (ii) for the last school year of the extension period if, as described in Section 53A-1-1207:
 - (A) a school is granted an extension; and
 - (B) the board extends the contract of the school's independent school turnaround expert.
- (c) In negotiating a contract with an independent school turnaround expert, the board shall offer:
 - (i) differentiated amounts of funding based on student enrollment; and
 - (ii) a higher amount of funding for schools that are in the lowest performing 1% of schools statewide according to the percentage of possible points earned under the school grading system.
- (4) The board shall:
 - (a) review a school turnaround plan submitted for approval under Subsection 53A-1-1204(5)(b) or under Subsection 53A-1-1205(7)(b) within 30 days of submission;
 - (b) approve a school turnaround plan that:
 - (i) is timely;
 - (ii) is well-developed; and
 - (iii) meets the criteria described in Subsection 53A-1-1204(3); and
 - (c) subject to legislative appropriations, provide funding to a low performing school for interventions identified in an approved school turnaround plan if the local school board or charter school governing board provides matching funds or an in-kind contribution of goods or services in an amount equal to the funding the low performing school would receive from the board.
- (5)
 - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules to establish an appeals process for:
 - (i) a low performing district school that is not granted approval from the district school's local school board under Subsection 53A-1-1204(5)(b);
 - (ii) a low performing charter school that is not granted approval from the charter school's charter school governing board under Subsection 53A-1-1205(7)(b); and
 - (iii) a local school board or charter school governing board that is not granted approval from the board under Subsection (4)(b).
 - (b) The board shall ensure that rules made under Subsection (5)(a) require an appeals process described in:
 - (i) Subsections (5)(a)(i) and (ii) to be resolved on or before April 1 of the initial remedial year; and
 - (ii) Subsection (5)(a)(iii) to be resolved on or before May 15 of the initial remedial year.
- (6)
 - (a) Subject to Subsection (6)(b), the board shall balance the need to prioritize funding appropriated by the Legislature to carry out the provisions of this part to contract with highly qualified independent school turnaround experts with the need to fund:
 - (i) interventions to facilitate the implementation of a school turnaround plan under Subsection (4)(c);
 - (ii) the School Recognition and Reward Program created under Section 53A-1-1208; and
 - (iii) the School Leadership Development Program created under Section 53A-1-1209.

- (b) The board may use up to 4% of the funds appropriated by the Legislature to carry out the provisions of this part for administration if the amount for administration is approved by the board in an open meeting.

Amended by Chapter 241, 2016 General Session

53A-1-1207 Consequences for failing to improve the school grade of a low performing school.

- (1) As used in this section, "high performing charter school" means a charter school that:
 - (a) satisfies all requirements of state law and board rules;
 - (b) meets or exceeds standards for student achievement established by the charter school's charter school authorizer; and
 - (c) has received at least a "B" grade under the school grading system in the previous two school years.
- (2)
 - (a) A low performing school may petition the board for an extension to continue school improvement efforts for up to two years if the low performing school's grade does not improve by at least one letter grade, as determined by comparing the school's letter grade for the school year prior to the initial remedial year to the school's letter grade for the final remedial year.
 - (b) The board may only grant an extension under Subsection (2)(a) if the low performing school has increased the number of points awarded under the school grading system by at least:
 - (i) 25% for a school that is not a high school; and
 - (ii) 10% for a high school.
 - (c) The board shall determine whether a low performing school has increased the number of points awarded under the school grading system by the percentages described in Subsection (2)(b) by comparing the number of points awarded for the school year prior to the initial remedial year to the number of points awarded for the final remedial year.
 - (d) The board may extend the contract of an independent school turnaround expert of a low performing school that is granted an extension under this Subsection (2).
 - (e) A school that has been granted an extension under this Subsection (2) is eligible for:
 - (i) continued funding under Subsection 53A-1-1206(4)(c); and
 - (ii) the School Recognition and Reward Program under Section 53A-1-1208.
- (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules establishing consequences for a low performing school that:
 - (a)
 - (i) does not improve the school's grade by at least one letter grade, as determined by comparing the school's letter grade for the school year prior to the initial remedial year to the school's letter grade for the final remedial year; and
 - (ii) is not granted an extension under Subsection (2); or
 - (b)
 - (i) is granted an extension under Subsection (2); and
 - (ii) does not improve the school's grade by at least one letter grade, as determined by comparing the school's letter grade for the school year prior to the initial remedial year to the school's letter grade for the last school year of the extension period.
- (4) The board shall ensure that the rules established under Subsection (3) include a mechanism for:
 - (a) restructuring a district school that may include:

- (i) contract management;
- (ii) conversion to a charter school; or
- (iii) state takeover; and
- (b) restructuring a charter school that may include:
 - (i) termination of a school's charter;
 - (ii) closure of a charter school; or
 - (iii) transferring operation and control of the charter school to:
 - (A) a high performing charter school; or
 - (B) the school district in which the charter school is located.

Amended by Chapter 241, 2016 General Session

53A-1-1208 School Recognition and Reward Program.

- (1) As used in this section, "eligible school" means a low performing school that:
 - (a) improves the school's grade by at least one letter grade, as determined by comparing the school's letter grade for the school year prior to the initial remedial year to the school's letter grade for the final remedial year; or
 - (b)
 - (i) has been granted an extension under Subsection 53A-1-1207(2); and
 - (ii) improves the school's grade by at least one letter grade, as determined by comparing the school's letter grade for the school year prior to the initial remedial year to the school's letter grade for the last school year of the extension period.
- (2) The School Recognition and Reward Program is created to provide incentives to schools and educators to improve the school grade of a low performing school.
- (3) Subject to appropriations by the Legislature, upon the release of school grades by the board, the board shall distribute a reward equal to:
 - (a) for an eligible school that improves the eligible school's grade one letter grade:
 - (i) \$100 per tested student; and
 - (ii) \$1,000 per educator;
 - (b) for an eligible school that improves the eligible school's grade two letter grades:
 - (i) \$200 per tested student; and
 - (ii) \$2,000 per educator;
 - (c) for an eligible school that improves the eligible school's grade three letter grades:
 - (i) \$300 per tested student; and
 - (ii) \$3,000 per educator; and
 - (d) for an eligible school that improves the eligible school's grade four letter grades:
 - (i) \$500 per tested student; and
 - (ii) \$5,000 per educator.
- (4) The principal of an eligible school that receives a reward under Subsection (3), in consultation with the educators at the eligible school, may determine how to use the money in the best interest of the school, including providing bonuses to educators.
- (5) If the number of qualifying eligible schools exceeds available funds, the board may reduce the amounts specified in Subsection (3).

Amended by Chapter 241, 2016 General Session

53A-1-1209 School Leadership Development Program.

- (1) As used in this section, "school leader" means a school principal or assistant principal.

- (2) There is created the School Leadership Development Program to increase the number of highly effective school leaders capable of:
 - (a) initiating, achieving, and sustaining school improvement efforts; and
 - (b) forming and sustaining community partnerships as described in Section 53A-4-303.
- (3) The board shall identify one or more providers, through a request for proposals process, to develop or provide leadership development training for school leaders that:
 - (a) may provide in-depth training in proven strategies to turn around low performing schools;
 - (b) may emphasize hands-on and job-embedded learning;
 - (c) aligns with the state's leadership standards established by board rule;
 - (d) reflects the needs of a school district or charter school where a school leader serves;
 - (e) may include training on using student achievement data to drive decisions;
 - (f) may develop skills in implementing and evaluating evidence-based instructional practices;
 - (g) may develop skills in leading collaborative school improvement structures, including professional learning communities; and
 - (h) includes instruction on forming and sustaining community partnerships as described in Section 53A-4-303.
- (4) Subject to legislative appropriations, the State Board of Education shall provide incentive pay to a school leader who:
 - (a) completes leadership development training under this section; and
 - (b) agrees to work, for at least five years, in a school that received an "F" grade or "D" grade under the school grading system in the school year previous to the first year the school leader:
 - (i) completes leadership development training; and
 - (ii) begins to work, or continues to work, in a school described in this Subsection (4)(b).
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules specifying:
 - (a) eligibility criteria for a school leader to participate in the School Leadership Development Program;
 - (b) application procedures for the School Leadership Development Program;
 - (c) criteria for selecting school leaders from the application pool; and
 - (d) procedures for awarding incentive pay under Subsection (4).

Amended by Chapter 331, 2016 General Session

53A-1-1210 Reporting requirement.

On or before November 30 of each year, the board shall report to the Education Interim Committee on the provisions of this part.

Enacted by Chapter 449, 2015 General Session

53A-1-1211 Coordination with the Partnerships for Student Success Grant Program.

If a low performing school is a member of a partnership that receives a grant under Chapter 4, Part 3, Partnerships for Student Success Grant Program, the school turnaround committee shall:

- (1) coordinate the school turnaround committee's efforts with the efforts of the partnership; and
- (2) ensure that the goals and outcomes of the partnership are aligned with the school turnaround plan described in this part.

Enacted by Chapter 331, 2016 General Session

